

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 2, 3, and 6-13 have been cancelled, claim 1 has been amended, and claims 14 and 15 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 4, 5, 14, and 15 are pending and under consideration.

LISTING OF CLAIMS READABLE ON ELECTED SPECIES

In the reply filed on October 7, 2004, Applicant mistakenly only listed claims 1, 4, 5, and 7 as being readable upon the elected species shown in FIGS. 1-4B. Applicant respectfully submits that claims 2 and 3 as originally filed are also readable on the elected species of FIGS. 1-4B, since the subject matter forming the basis of claims 2 and 3 is found in the portions of the subject Specification referring to FIGS. 1-4B, e.g. the paragraph beginning at line 3 on page 14.

Additionally, Applicant respectfully submits that new claims 14 and 15 are also readable on the elected species of FIGS. 1-4B.

RECOGNITION OF NEW POWER OF ATTORNEY AND REVOCATION OF PRIOR POWERS OF ATTORNEY

Please note that Applicant is again submitting a copy of a *Power of Attorney and Revocation of Prior Powers* and a *Statement and Certification Under 37 C.F.R. §3.73 (b)*. These documents have been filed three times for the subject Application: on November 19, 2003, on February 25, 2004, and on October 7, 2004. But apparently communications from the USPTO are still being sent to the wrong attorney firm.

Yet in response to the October 7, 2004 re-filing, the U.S. Patent and Trademark Office refused to accept the Power of Attorney (mailed October 22, 2004), asserting that the Certificate required by 37 CFR 3.73(b) has not been received.

Applicant is also submitting copies of the stamped receipts for the November 19, 2003, and February 25, 2004 submissions, indicating that the U.S. Patent and Trademark Office has indeed received the required Certificate at least twice.

Therefore, please address all communications to Staas & Halsey LLP, USPTO customer No. 21171, at the address indicated below.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at pages 2-4 the Examiner rejected claims 1, 4, and 5 under 35 U.S.C. §103(a) as being unpatentable over as being unpatentable over Okubo et al (U.S. 6,199,527 – hereinafter Okubo) in view of Motohashi et al (U.S. 5,678,459 – hereinafter Motohashi). Applicant traverses this rejection and respectfully requests reconsideration.

Applicant respectfully submits that the subject matter of claim 3 has been incorporated into claim 1.

Amended, independent claim 1 recites: "...the radius of curvature of the outer chamfered corner delimited between the outer surface of the connecting wall and the outer surface of each of the opposite side walls is smaller than 70% of a wall thickness of the arm body."

Applicant respectfully submits that the bending process alone (disclosed in Okubo as subjecting a blank to a bending work (See Okubo, at Abstract), and disclosed in Motohashi as blanking a plate material (see Motohashi, at col. 3, lines 62-63, and col. 4, lines 12-14)) to form side walls and a connecting portion would not result in a radius of curvature delimited between an outer surface of a side wall and the connecting portion being less than 70% of a thickness of the side walls. And no other processes are disclosed, in either Okubo or Motohashi, to shape such a radius of curvature.

In contrast, in the claimed invention, a generally elongated arm body having first and second ends opposite to each other is prepared by bending a single plate material to represent a generally inverted U-shaped section including opposite side walls and a connecting wall bridging between the opposite side walls. Additionally, an outer chamfered corner delimited between an outer surface of the connecting wall and an outer surface of each of the opposite side walls is deformed to represent a plastically deformed portion so formed by means of a plastic deformation technique, such that the radius of curvature is smaller than 70% of a wall thickness of the arm body.

By way of a non-limiting embodiment, such an arm body 4 has an advantage of having an increased area of a connecting wall 6 that can engage a lock nut 13, thereby more securely fastening an adjustment screw 7 with the arm body 4.

Thus, Applicant respectfully submits that the claimed invention establishes an un-obvious difference as compared to the disclosed devices of Okubo or Motohashi.

Additionally, regarding claim 4, the Examiner appears to assert that Motohashi discloses that it is conventional for respective portions of inner surfaces of side walls to be formed with corresponding helical threads to threadingly receive the externally helically threaded pivot member. Applicant respectfully disagrees.

In Motohashi, there is no indication that threads are formed anywhere but on the shaft mounting portion 4 of Motohashi (threaded hole 4a), which is consistently referred to as having a greater thickness than side walls 6. (See Motohashi, for example, at col. 3, line 65 to col. 4, lines 2-4, and col. 4, lines 48-57). The only threads to engage a threaded pivot shaft are the threaded hole 4a of the shaft mounting portion 4.

Further, regarding claim 5, there is no lock nut disclosed in Motohashi.

Applicant respectfully submits that independent claim 1 patentably distinguishes over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicant respectfully submits that claims 4 and 5, which depend from independent claim 1, should be allowable for at least the same reasons as claim 1, as well as for the additional features recited therein.

NEW CLAIMS:

Applicant respectfully submits that for at least similar reasons as those stated in the section regarding the rejection under 35 U.S.C. §103, new claims 14 and 15 patentably distinguish over the cited art and should be allowable.

CONCLUSION:

In accordance with the foregoing, Applicant respectfully submits that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

Serial No.: 10/649,675

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: May 10, 2005

By: Michael A. Bush
Michael A. Bush
Registration No. 48,893

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501